

appliance. The user appliance receives all of the plurality of electronic content but does not store it therein. A filter is provided that filters the electronic content with predetermined filter terms and accepts the plurality of electronic content that corresponds to the filter terms. Advantageously, the present invention allows broadcasts to be broadcast to each of the users while the user appliances only store content at the user appliance that may be of interest to the particular user in accordance with the filter terms.

For a proper §102 rejection, each and every one of the elements must be found in the reference. Applicants respectfully submit that *Payton* has several deficiencies. The *Payton* reference is directed to a virtual on-demand digital information delivery system and method. The system is used to deliver electronic content to users. The *Payton* system employs a predictive filter 52 as pointed to by the Examiner in Col. 6, lines 1-19. However, the predictive filter and the way the system acts is significantly different than that recited in claim 15. The system in the *Payton* reference uses the predictive filter to order content from a central service provider. As stated in Col. 6, line 11, "As a requested item 36 is being received, it is downloaded to the local storage 56, while a decryption and decompression processor 60 decrypts, decompresses and converts the item from the digital format into a standard video or audio signal and sends the signal to the interface control which routes the signal to the subscriber's playback device 32." This is substantially different than the filter and user appliance described in claim 15. Although the appliance receives the electronic content, only that content that corresponds to the filter terms is downloaded to the user device. A system formed according to claim 15 does not require user information to be transmitted to a central location. Thus, the user criteria is not known by the central database.

The *Payton* reference does not teach filtering the plurality of electronic content with predetermined filter terms and accepting the electronic content as a function of the filter terms. Therefore, applicants respectfully request the Examiner for reconsideration of this rejection.

Claims 16-18 stand rejected under 35 U.S.C. §102(e) as being anticipated by *Downs* (6,226,618). Applicants respectfully traverse.

Claim 16 is directed to a broadcast center for electronic content comprising the electronic content subsystem that receives electronic content from a content provider, a content store for processing buy transactions from a requesting user, and linking marketing information with the electronic content. A server is coupled to the content store for receiving the electronic content and the marketing information. A transmitter is coupled to the receiver for broadcasting the electronic content and the marketing information to the plurality of users. The electronic content store receives user requests for a purchase. The content store processes the buy transaction and initiates further rights in the electronic content for the requesting user.

The *Downs* reference is directed to an electronic content delivery system. The electronic delivery system allows purchasers to purchase data using decryption keys. The Examiner states that, “*Downs et al.* disclose electronic content store subsystem receiving electronic content from a content provider, a content store for processing buy transactions from a user and linking marketing information with the said electronic content.” The Examiner points to several places including Fig. 1, Col. 8 lines 58-65, Col. 9 lines 62-67, Col. 10 lines 1, 6-10, 26-29, and the table in Col. 18 steps 130-132. Although these sections refer to metadata, applicants respectfully submit that metadata is not marketing information as taught in the present application. Metadata is first described in Col. 9, lines 21-25, as “The term metadata is used throughout this document to mean data related to the content 113 and in this embodiment does not include the content 113 itself. As an example, metadata for a song may be a song title or song credits but not the sound recording of the song.” Thus, the metadata is additional information to the content but does not provide marketing information that can be searched upon using filter terms as described in the present invention and as claimed. Although the word “promote” is used in the table of Col. 13, it appears that the metadata is no more than basic information and not marketing data. The linking of marketing information with the electronic content is not

taught or suggested in the *Downs* reference. Therefore, applicants respectfully request the Examiner to reconsider this rejection.

Claims 17 and 18 are further dependent on claim 16 and therefore applicants respectfully request the Examiner to reconsider the rejection of these claims as well.

Claims 1, 3-5, 7, 11, 13, 14, 19, and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Downs* in view of *Payton*. Applicants respectfully traverse.

Claim 1 is directed to a method for distributing electronic content that includes distributing the electronic content having predetermined user rights associated therewith. The electronic content is received and filtered with predetermined filter terms. One or more of the plurality of electronic content is accepted to form a subset as a function of the predetermined filter terms. Then, the selected content subset is stored. As mentioned above, the *Downs* reference requests information in response to a filter. Thus, once the information is received it is destined for the device. Claim 1 described receiving the plurality of electronic content but, the electronic content is not accepted until it meets predetermined filter terms. Once accepted the content is stored for user review.

As the Examiner states, the *Downs* reference does not "expressly disclose filtering said plurality of electronic content with predetermined filter terms, accepting one or more of said plurality of electronic content to form a selected content subset as a function of said predetermined filter terms or storing the selected content subset for review." As mentioned above, the *Payton* reference fails to disclose accepting the plurality of content based upon the filter terms. Therefore, even if the *Downs* and the *Payton* references are combined, the recitations of claim 1 cannot be found.

Claims 3-5, 7, 11, 13, and 14 recite further limitations to claim 1 and are therefore believed to be allowable for the same reasons set forth above.

Claim 19 is directed to a user appliance for a system. The user appliance performs a similar function to that described above with respect to claim 1. Namely, the user appliance includes a filter for filtering the plurality of electronic content with predetermined filter terms and accepting one or more of the plurality of electronic content to form a selected content subset as a function of the filter terms. The claim

has been amended to recite that "after accepting", the electronic content is stored in a local storage device. This addition has been made for clarity purposes. Thus, for the same reasons set forth with respect to claim 1, claims 19 and 20 are also believed to be allowable.

Claims 2, 6, 8, and 10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Downs* and *Payton* in further view of *Ardissono* (An Agent Architecture for Personalized Web Stores). Claims 2, 6, 8, and 10 are further limitations of claim 1. Therefore, applicants respectfully request the Examiner for reconsideration of this rejection. The *Ardissono* reference fails to teach or for that matter suggest the use of filtering to determine what to store from a plurality of electronic content in response to predetermined filter terms. Thus, the addition of *Ardissono* fails to overcome the deficiencies of the *Downs* and *Payton* references.

Claims 9 stands rejected under 35 U.S.C. §103(a) as being unpatentable over *Downs*, *Payton*, and *Ardissono* in further view of *Loeb* (6,360,209). Applicants respectfully traverse.

Claim 9 includes the step of providing an account number in contacting a merchant bank which further modifies purchasing one or more of the selected content subset as defined in claim 2. However, claims 9 and 2 are ultimately dependent on claim 1. Claim 1 is believed to be allowable because the combination of the *Downs* reference and the *Payton* reference as described above does not teach what the Examiner suggests. *Loeb* fails to overcome the deficiencies of the other references. Therefore, because claim 9 is further dependent on claim 1, claim 9 is believed to be allowable for the same reasons set forth above.

Claim 12 stands rejected over *Downs* in view of *Payton* in further view of *Bezos* (WO 00/62223). Applicants respectfully traverse.

Claim 12 is dependent on claim 1. Although the *Bezos* reference describes prompting the user for filter terms, the *Bezos* reference does not cure the deficiencies of the *Downs* and *Payton* references described above. Therefore, because claim 12 contains further limitations of claim 1, claim 12 is also believed to be allowable for the same reasons set forth above.

In light of the above amendment and remarks, applicants submit that all objections and rejections are now overcome. Applicants have added no new material to the application by these amendments. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments which would place the application in better condition for allowance, he is respectfully requested to call the undersigned attorney.

Respectfully submitted,

Vijayalakshmi D. Duraiswamy
Vijayalakshmi D. Duraiswamy
Reg. No. 31,505

Date: October 4, 2002
HUGHES ELECTRONICS CORPORATION
ES/001/M.S. A109
P. O. Box 956
El Segundo, CA 90245-0956
Telephone: (310) 662-9919

APPENDIX. VERSION WITH MARKINGS TO SHOW CHANGES MADE**In The Claims:**

1. (Amended) A method for distributing electronic content comprising the steps of:

 distributing a plurality of electronic content having predetermined user rights associated therewith;

 receiving the plurality of electronic [contents] content;

 filtering said plurality of electronic content with predetermined filter terms;

 accepting one or more of said plurality of electronic content to form a selected content subset as a function of said predetermined filter terms; and

 storing the selected content subset for user review.

15. (Amended) A system for distributing electronic content packages comprising:

 a content provider having a plurality of electronic content;

 a broadcast center coupled to the content provider for receiving said plurality of electronic content and transmitting [a] said plurality of [the] electronic content;

 a user appliance having a filter therein, said appliance coupled to said broadcast center for receiving said plurality of electronic content, said filter filtering the plurality of electronic content with predetermined filter terms and accepting one or more of said plurality of electronic content to form a selected content subset as a function of said filter terms.

16. (Amended) A broadcast center for electronic content comprising:
 electronic content store subsystem receiving electronic content from a content provider;

 a content store for processing buy transactions from a requesting user and linking marketing information with said electronic content;

 a server coupled to said content store for receiving said electronic content and said marketing information;

a transmitter coupled to said server for broadcasting said electronic content and said marketing information to a plurality of users,

said content store coupled to said plurality of users so that when said requesting user requests a purchase, said content store processes the buy transaction and initiates further rights in said electronic content for said requesting user.

19. (Amended) A user appliance for a system comprising;
a receiver receiving a plurality of electronic content and associated marketing information;

a filter coupled to the receiver;

a storage device coupled to said filter,

said filter filtering the plurality of electronic content with predetermined filter terms and accepting one or more of said plurality of electronic content to form a selected content subset as a function of said filter terms, and after accepting, storing said selected content subset on said local storage device.

21. (New) A method for distributing electronic content comprising;
distributing a plurality of electronic content samples having predetermined user rights associated therewith;

distributing marketing information with each of said plurality of electronic content selections;

receiving the plurality of electronic content samples and associated marketing information;

filtering the plurality of electronic content samples with predetermined filter terms; and

accepting one of said plurality of electronic content samples to form a selected sample as a function of the marketing information matching said filter terms; and

storing the selected sample for user review.